

**The Honorable Christopher M Alston**  
**Chapter 7**  
**Hearing Location: Telephonic**  
**Hearing Date: December 4, 2020**  
**Hearing Time: 9:30 a.m.**  
**Response Date: November 27, 2020**

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re:

Willie James Echols

Debtor.

CASE NO.: 19-10359-CMA

Chapter: 7

DECLARATION IN SUPPORT OF  
MOTION FOR RELIEF FROM THE  
AUTOMATIC STAY BY  
MONTANA FUNDING, LLC

Under penalty of perjury, the undersigned hereby declares as follows:

1. As to the following facts, I know them to be true of my own personal knowledge, based upon the review of the business records, and if called upon to testify in this action, I could and would testify competently thereto.

2. The real property involved in this motion is commonly known as 318 South 104<sup>th</sup> Street, Seattle, Washington 98168.

3. I am an employee for Eastside Funding, LLC. I am duly authorized to make this declaration on behalf of Movant.

4. I am familiar with the manner and procedure by which the records of Movant are obtained, prepared, and maintained. Those records are obtained, prepared, and maintained by employees or agents of Movant in the performance of their regular business duties at or near the time, act, conditions, or events recorded thereon. The records are made either by persons with

1 knowledge of the matters they record or form information obtained by persons with such  
2 knowledge. I have knowledge of and/or access to the business records. I have personally reviewed  
3 the business records related to this loan prior to executing this declaration.

4 5. Movant is, either directly or through the use of a designated custodian, in possession  
5 of the original Promissory Note dated November 9, 2018, in the principal amount of \$280,154.36,  
6 which is secured by a Deed of Trust encumbering the Property. The Note has not been  
7 subsequently assigned or transferred to any other person or entity since assignment and transfer to  
8 Movant. Movant is entitled to receive payments under the Note and Deed of Trust.

9 6. Attached are redacted copies of any documents that support the claim, such as  
10 promissory notes, purchase order, invoices, itemized statements of running accounts, contracts,  
11 judgments, mortgages, and security agreements in support of right to seek a lift of the automatic  
12 stay and foreclose if necessary.

13 7. The following documents evidencing the loan, including the Note and Deed of  
14 Trust, are attached as Exhibits hereto. Attached as Exhibit is an imaged copy of the Movant's file  
15 copy of the Promissory Note.

- 16 a. Exhibit 1 – Note.
- 17 b. Exhibit 2 – Deed.
- 18 c. Exhibit 3 – Assignment of Deed of Trust.
- 19 d. Exhibit 4 – Debtor's Schedules A/B

20 8. Movant uses the standard practices of the mortgage lender industry. A payment  
21 received is applied to the account and credited to the next due payment. For example, payment  
22 received in December will be applied to the November payment if no payment had been received  
23 in November.

24 9. As of October 21, 2020, Movant's records on the loan that is the subject of this  
25 motion shows that the loan is due in full as the Note matured on June 7, 2019. There is currently  
26 a total balance owing in the amount of \$361,706.33.

10. As of October 21, 2020, the unpaid principal balance on the loan is \$280,154.36 and the approximate total payoff amount is \$361,706.33.

I declare on penalty of perjury under the laws of the United States of America the foregoing is true and correct.

Executed on 10/28/20 at Kirkland, WA

Signature

**Michael Wesolowski**

Printed Name

## Title

Declaration in Support of Motion for Relief from Stay- 3

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